

1772  
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# PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In.re: Patent application of : Group Art Unit: 1772  
Scott W. Huffer, *et al.* :  
Serial No.: 09/778,334 : Examiner:  
 : Sandra M. Nolan  
 :  
Filed: February 7, 2001 : Attorney Docket No.:  
 : 9325-36 (148068)  
For: PACKAGING MATERIAL, METHOD OF :  
MAKING IT, AND PACKAGE MADE : Confirmation No. 1473  
THEREFROM

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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MAY 14 2004

TC 1700

Sir:

Pursuant to 37 C.F.R. § 1.56 and in accordance with 37 C.F.R. §§ 1.97-1.98, attached hereto is a completed PTO Form 1449. This Information Disclosure Statement is being filed after the submission of a Request for Continued Examination (RCE) and the mailing of a subsequent non-final office action, but before the mailing of any subsequent final action or notice of allowance.

A check to cover the \$180 fee is submitted herewith. Authorization is provided to charge any additional fee found to be due in connection with this submission, or to credit any over-payment, to Deposit Account No. 50-0573.

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

BY

*Todd Conway*

DATE:

*4/12/04*

04/14/2004 ZJUHA1 0000095 09778334

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The references identified below and on the attached Form 1449 may be considered relevant to the subject matter of the present application and a copy of each is enclosed.

GB 2 298 818	US 5,492,733
GB 2 320 911	US 5,783,266
JP 02-117826 (abstract only)	US 6,010,757
JP 05-345856 (abstract only)	US 6,228,486
WO 96/29205	

In addition, the following references were cited in an Information Disclosure Statement on May 16, 2003. However, the last office action indicated that copies of the references were not supplied. Copies are submitted herewith.

EP 0 339 670  
GB 2 156 362  
WO 00/35671

All documents submitted herewith are in the English language. Full copies of the Japanese patent publications have not been obtained and only the abstracts are submitted herewith for consideration.

It is noted that two references submitted in an Information Disclosure Statement on October 20, 2003 have not been considered. Reference BD (Northwest Coatings Corp., "Adhesives and Coatings that Exceed our Customers' Expectations," Product Brochures and Product Sheets) was made of record by the Examiner during the prosecution of U.S. Pat. No. 6,528,127 to Edlein *et al.* on August 7, 2000 with a statement that it was published before the filing date of Edlein, which was March 8, 1999. Reference BO is a Document entitled "Huntsman Packaging", showing a structure that may have been proposed at least as early as October 1, 1996. For the purpose of having references BD and BO considered in the instant application, it is admitted that the references were created at least one year prior to the filing date of the instant application.

The following comments concern various references identified above or concern references that have already been made of record in the present application.

U.S. Pat. No. 6,528,127 to Edlein *et al.* describes a printed thermoplastic film with a radiation-cured overprint coating. At columns 4-7, the patent describes various materials that can be used as layers in the film. The patent describes, in column 13, radiation curable coatings that include "EBERCRYL™ 350 acrylate-functionalized silicone (UCB)" for packaging film. (*See*, lines 40-49.) This material is believed to be a non-migratory slip agent.

U.S. Pat. No. 5,945,183 to Johnson was relied upon by an Examiner in abandoned U.S. Pat. App. No. 09/742,166 (cited on a previous Form 1449 as U.S. Pat. App. Pub. 2002/0100194) as a basis for rejection of the claims in that application.

United Kingdom patent publication GB 2,156,362 was relied upon by an Examiner in commonly assigned Pat. App. No. 09/920,084 (cited on a previous Form 1449 as U.S. Pat. App. Pub. 2003/0027009). The United Kingdom publication was a basis for rejection of the claims in the '084 application in conjunction with structures described in the background section of that application.

U.S. Pat. No. 4,177,310 to Steeves *et al.*, U.S. Pat. No. 6,291,062 to Oshima *et al.* and U.S. Pat. No. 6,045,654 to Kjelgaard were relied upon by an Examiner in rejecting the claims in commonly assigned Pat. App. No. 09/826,236 (cited on a previous Form 1449 as U.S. Pat. App. Pub. 2002/0146525). U.S. Pat. No. 5,478,643 to Peiffer, U.S. Pat. No. 6,228,486 to Kittel *et al.*, U.S. Pat. No. 5,783,266 to Gehrke and U.S. Pat. No. 6,010,757 to Yamamoto *et al.* have also been relied upon by the examiner in this '236 application. (Kjelgaard and Peiffer have not been made of record in and are not deemed to be material to the present application.)

It is requested that the Examiner review each of the references listed on the Form 1449 and make them of record in the instant application as required by M.P.E.P. § 609. The Examiner should initial the enclosed duplicate substitute Form 1449, and return one copy to the Applicants' undersigned representative.

Respectfully submitted,

SCOTT W. HUFFER, ET AL.

BY: 

THOMAS J. DURLING  
Registration No. 31,349  
Drinker Biddle & Reath LLP  
One Logan Square  
18<sup>th</sup> and Cherry Streets  
Philadelphia, PA 19103-6996  
Tel.: (215) 988-3307  
Fax: (215) 988-2757

Attorney for Applicants

SUBSTITUTE FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

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09/778,334

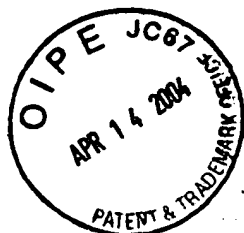
## INFORMATION DISCLOSURE CITATION

APPLICANT:

Scott W. Huffer, et al.

FILING DATE February 7, 2001

GROUP 1772



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	AA	5,492,733	2/20/96	D'Anna et al.	427	517	
	AB	5,783,266	7/21/98	Gehrke	428	34.3	
	AC	6,010,757	1/4/00	Yamamoto et al.	428	1	
	AD	6,228,486	5/8/01	Kittel et al.	428	354	

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
	AE	EP 0 339 670	4/28/89	EPO	B41M	5/26	N/A	
	AF	GB 2 156 362	10/9/85	Great Britain	C08K	5/19	N/A	
	AG	GB 2 298 818	9/18/96	Great Britain	B41M	3/00	N/A	
	AH	GB 2 320 911	7/8/98	Great Britain	B32B	5/18	N/A	
	AI	WO 96/29205	9/26/96	WIPO	B41M	7/00	N/A	
	AJ	WO 00/35671	6/22/00	PCT	B32B	27/30	N/A	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AK	Japanese Patent Abstract, No. 02-117826
	AL	Japanese Patent Abstract, No. 07-186514

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.